



MANCHESTER
CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140961/NMC/2024
Date registered valid:	9 September 2024
Proposal:	Non-material amendment to planning permission 139294/FH/2024 to allow for revisions to the footprint of the side/rear extension and change in size and position of the side window
Address:	14 Blackthorn Avenue, Manchester, M19 1FT
Ward(s):	Burnage Ward
Applicant:	Mr Jonny Witter
Agent (if any):	Mrs Magdalena Haener, Pride Road Manchester South
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	13.09.2024

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not required

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Proposal relates to a semidetached dwellinghouse on Blackthorn Avenue. The property features hardstanding to the front for off street vehicle parking and a garden to the rear.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



Figure 1. Street scene

Description of area

The property is located in a mostly residential part of the Burnage ward of Manchester.



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Figure 2. Location

Consultation, notification & publicity responses

Not required for non-material amendment application.

Relevant policies & the principle of development

After careful consideration, it is concluded that the proposal is acceptable and aligns with the following policies.

- [Town and Country Planning Act 1990](#) –
 - Section 96A - Power to make non-material changes to planning permission

Town and Country Planning Act 1990

Section 96A – Non material amendment

A local planning authority in England can make a change to any planning permission relating to land in its area if it is satisfied that the change is not material, as allowed by Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008).

The authority considers the impact of a change on the original planning permission. They also consider any prior minor changes.

In this case, the application relates to an approval for the non-material changes to the approved planning permission 139294/FH/2024 to allow for the erection of single storey side and rear extension to provide additional living accommodation.

The suggested changes maintain the overall footprint and boundary distances of the proposed extension and reduce the dimensions of an approved window. The changes are not expected to have a material effect on the residential and visual amenity beyond the approved application.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Conclusion

The proposed amendment is considered acceptable minor in nature and would have no more impact upon either visual or residential amenity than the approved scheme. For the above reasons, it is considered that any harm as the result of the proposal to be less than substantial.

Recommendation: Approve

Condition(s) to be attached to decision for approval

1. Non-material amendment

The proposed amendments relate to the following: Non Material Amendment to application Non-material amendment to planning permission 139294/FH/2024 to allow for revisions to the footprint of the side/rear extension and change in size and position of the side window at 14 Blackthorn Avenue, M19 1FT.

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

2. Specified plans

The development hereby approved shall be carried out in accordance with the following drawings and documents:

a. Drawing - Proposed	09 Sep 2024	FLOOR PLANS
b. Drawing - Proposed	09 Sep 2024	ELEVATIONS AND SECTIONS AA

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Area Team Boundary - Name: SOUTH AREA